IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ALVIN J. GILLYARD, CIVIL ACTION :

NO. 12-125-ER

Plaintiff,

V.

TIMOTHY F. GEITHNER, Secretary of the United States Department of the Treasury,

Defendant.

ORDER

AND NOW, this 5th day of June, 2012, it is hereby ORDERED that Defendant's Motion to Dismiss (ECF No. 3) is GRANTED without prejudice. Plaintiff shall file an amended complaint by June 25, 2012.

AND IT IS SO ORDERED.

/s/ Eduardo C. Robreno EDUARDO C. ROBRENO, J.